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FISCAL IMPACT REPORT

ORIGINAL DATE 2/20/07

SPONSOR Lundstrom LAST UPDATED _____ HB 1026

SHORT TITLE Public Defender Gallup Satellite Office SB _____

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	\$550.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Administrative Office of the Courts (AOC)
Public Defender Department (PDD)

SUMMARY

Synopsis of Bill

House Bill 1026 appropriates \$550 thousand from the GENERAL FUND to Public Defender Department for the purpose of establishing a satellite office in Gallup, including personal services and benefits for staff attorneys and support staff and furniture and equipment.

FISCAL IMPLICATIONS

The appropriation of \$550 thousand contained in this bill is a RECURRING expense to the GENERAL FUND. Any unexpended or unencumbered balance remaining at the end of FISCAL YEAR 2008 shall revert to the GENERAL FUND.

SIGNIFICANT ISSUES

LFC staff notes that in the PDD FY08 budget request, it indicates that it would phase-in the opening of the office to enable adequate time for recruitment and training and that when fully

opened, it would handle approximately 70 percent of the cases in-house and 30 percent would be handled by contract attorneys. This bill does not address what the expectation is for handling cases.

PERFORMANCE IMPLICATIONS

Potentially, clients will be bettered served by a dedicated office for this population

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

Relates to HB2, which includes language that states the general fund appropriation to the criminal legal services program of the public defender department includes sufficient funds to create a Gallup satellite office.

OTHER SUBSTANTIVE ISSUES

The judiciary supports efforts to properly fund the public defender department and believes it is important that all entities within the criminal justice system be provided adequate resources.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

Contract attorney services will continue to be used.

POSSIBLE QUESTIONS

What is the average caseload? Has there been a steady increase?

What is the current cost to the general fund for handling the McKinley cases?

If a McKinley office is opened, what are the projected costs, to maintain an office and staff, over the next five years and ten years?

Will the satellite office handle all cases or would some be contracted out?

EO/nt